



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

JAN 20 2017

CERTIFIED MAIL 7016 0600 0000 3846 8029
RETURN RECEIPT REQUESTED

Phoenix Chemical Company, Inc.
ATTN: Mr. John E. Bryant
Chief Executive Officer
202 Gee Road
Calhoun, Georgia 30701

Re: Information Request Pursuant to Section 308 of the Clean Water Act (CWA), 33 U.S.C. § 1318, for Phoenix Chemical Company, Inc., Calhoun, Gordon County, Georgia

Dear Mr. Bryant:

On March 1, 2016, a contractor for the U.S. Environmental Protection Agency Region 4 performed an Industrial User Inspection of Phoenix Chemical Company, Inc.'s facility (Facility) located at 202 Gee Road in Calhoun, Gordon County, Georgia. The purpose of the inspection was to evaluate Phoenix Chemical Company Inc.'s compliance with the requirements of Sections 301 and 307(d) of the Clean Water Act (CWA), 33 U.S.C. §§ 1311 and 1317(d); and the regulations promulgated thereunder at 40 C.F.R. Parts 403 and 417. A copy of the industrial user inspection report is enclosed as Enclosure A.

The EPA is continuing to investigate the Phoenix Chemical Company, Inc.'s compliance with the CWA. Therefore, pursuant to Section 308 of the CWA, 33 U.S.C. § 1318, the EPA hereby requests that the Phoenix Chemical Company, Inc. provide the information set forth in Enclosure B within twenty-one (21) calendar days of your receipt of this letter.

The Phoenix Chemical Company, Inc.'s response should be submitted to:

Mr. Brad Ammons
U.S. Environmental Protection Agency, Region 4
NPDES Permitting and Enforcement Branch
Atlanta Federal Center (MC 9T25)
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960

Failure to provide a full and complete response to this information request or to adequately justify a failure to respond within the time frame specified above may result in an EPA enforcement action pursuant to federal law, including, but not limited to Section 309 of the Clean Water Act, 33 U.S.C. § 1319, and 18 U.S.C. § 1001.

If Phoenix Chemical Company, Inc. believes that any of the requested information constitutes confidential business information, it may assert a confidentiality claim with respect to such information,

except for effluent data. Further details, including how to make a business confidentiality claim, are found in Enclosure C.

All information submitted in response to this information request must be accompanied by the following certification that is signed by a duly authorized official in accordance with 40 C.F.R. § 403.12(l):

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

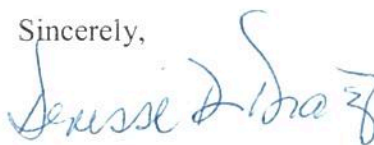
Please be aware that the EPA may use information provided in response to this information request in any enforcement proceeding related to this matter.

Enclosed is a document entitled *U.S. EPA Small Business Resources-Information Sheet* to assist Phoenix Chemical Company Inc. in understanding the compliance assistance resources and tools available to it. Any decision to seek compliance assistance at this time, however, does not relieve Phoenix Chemical Company Inc. of its obligation to the EPA nor does it create any new rights or defenses and will not affect the EPA's decision to pursue enforcement action.

In addition, the Securities and Exchange Commission (Commission) requires its registrants to periodically disclose environmental legal proceedings in statements filed with the Commission. To assist Phoenix Chemical Company, Inc., the EPA has also enclosed a document entitled *Notice of Securities and Exchange Commission Registrants' Duty to Disclose Environmental Legal Proceedings*.

Please contact Mr. Brad Ammons at (404) 562-9769 if you have any questions or concerns. Legal inquiries should be directed to Ms. Suzanne Armor, Associate Regional Counsel, at (404) 562-9701.

Sincerely,

A handwritten signature in blue ink, appearing to read "Denisse D. Diaz", with a stylized flourish at the end.

Denisse D. Diaz, Chief
NPDES Permitting and Enforcement Branch
Water Protection Division

Enclosures

cc: Mr. Bert Langley
Georgia Environmental Protection Division

Mr. Jerry Crawford
City of Calhoun Wastewater Department

Final Report
Phoenix Chemical Company, Inc.
Industrial User Pretreatment Reconnaissance Inspection
March 1, 2016

Prepared for:
EPA Region 4
61 Forsyth Street, S.W.
Atlanta, GA 30303-8960

Prepared by:
PG Environmental, LLC
607 10th Street; Suite 307
Golden, CO 80401-5817

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I. Introduction

On March 1, 2016, Kettie Holland of PG Environmental, LLC, conducted a pretreatment reconnaissance inspection of the Phoenix Chemical Company, Inc. (Phoenix Chemical or facility) on behalf of the U.S. Environmental Protection Agency (EPA) Region 4. The facility address and mailing address are the same: 202 Gee Road, Calhoun, GA 30701. The Georgia Department of Natural Resources' Environmental Protection Division (State of Georgia) or the City of Calhoun (City) have not issued a permit to the facility. EPA notified the State of Georgia in advance of the pretreatment reconnaissance inspection activity pursuant to its Memorandum of Agreement. Ms. Stacey Wix of the State of Georgia accompanied Ms. Holland during the inspection.

The facility is located in an industrial area northeast of Interstate 75. The facility consists of a process area and an administrative office within a warehouse (Administrative Building), a second warehouse used for storage, and a wastewater treatment area outside on an uncovered concrete pad. The facility's latitude and longitude coordinates are 34.555004 and -84.928468, respectively.

II. Entry

Ms. Wix and Ms. Holland arrived at the facility at 2:00 P.M. and spoke with an administrative assistant at the entrance of the facility. Ms. Holland informed the administrative assistant of the reason for the visit. Ms. Holland asked whom the appropriate person would be to meet with to discuss facility operations and potential wastewater generating operations. Ms. Wix and Ms. Holland signed in at the front of the facility and then met with Mr. John Bryant, the Owner of the Facility. The group exchanged introductions, and Ms. Holland provided a preliminary explanation of the purpose of the inspection.

III. Opening Conference

The group proceeded to Mr. Bryant's office, and Ms. Holland presented credentials and provided a full explanation of the purpose and intent of the pretreatment reconnaissance inspection. Ms. Holland requested that Mr. Bryant provide a description of the facility's onsite operations and wastewater generating processes.

Mr. Bryant stated that Phoenix Chemical moved into the facility approximately three years ago, and that they mix batches of chemicals used in water treatment processes, in textile industries, and in carpet industries. Mr. Bryant stated that the facility generates wastewater from its chemical tote and reactor washing process: the wastewater generated from the process is collected, the solids are allowed to settle, and the decant is pumped into two wastewater holding tanks. The pretreatment operators collect a sample of the wastewater and analyze the pH of the wastewater at the facility's onsite laboratory. Depending upon the result of the analysis, the pretreatment operators adjust the pH of the wastewater, if needed, and then discharge to the City's publicly owned treatment works (POTW).

Mr. Bryant stated that representatives from the City are at the facility regularly, at least on a monthly basis. He stated that the City required the facility to install a batch wastewater treatment system for pretreating the wastewater prior to discharging to the POTW. Mr. Bryant stated that the facility previously had a pH discharge of 1.78 standard units (s.u.) and the City issued a notice of violation (NOV) letter to the facility in response to the low pH discharge. Mr. Bryant stated that the facility is operational 24 hours per day, Monday through Friday, and occasionally on Sundays.

He stated that the wastewater treatment operators leave the facility around 2:00 P.M., thus a wastewater treatment operator was not at the facility during the inspection. The facility does not discharge wastewater to the POTW while the pretreatment operators are not at the facility.

The facility was in the process of expanding its operation at the time of the inspection. Mr. Bryant explained that as a component of the expansion, the facility planned to expand its mixing operation, install additional reactors, and add tanks for raw material storage.

IV. Tour of Operations

The group exited Mr. Bryant's office and proceeded to the process area in the rear of the Administrative Building. The facility has six reactors for mixing chemicals: two have a capacity of 2,500 gallons, two have a capacity of 3,500 gallons, one has a capacity of 4,000 gallons, and one has a capacity of 6,000 gallons. Mr. Bryant explained that facility employees rinse the vessels with water and steam, and that the reactor rinsing process does not use other soaps or chemicals. Trench drains collect this process wastewater and convey it to the pretreatment system (Photograph 1).

The group exited the indoor process area and proceeded to the wastewater pretreatment system located outdoors. As the group proceeded, Ms. Holland observed etching on the outdoor concrete surface. Mr. Bryant explained that this was the result of an acid spill (Photographs 2 and 3).

Mr. Bryant explained that the process wastewater generated at the facility, in addition to stormwater, collects in the loading dock bay in front of the storage warehouse (Photograph 4). Specifically, trench drains convey process wastewater generated from the reactor and tote washing processes to the loading dock area, collecting in the outdoor loading dock bay. Mr. Bryant referred to the loading dock bay as the "oil and water separator." He explained that wastewater from the trench drains, in addition to wastewater that may flow through the process area and collect in the dock bay, is pumped from the first chamber (i.e., the sloped dock bay) to the second chamber (i.e., concrete box at the base of the dock bay). Wastewater from the second chamber of the oil and water separator is pumped into one of two wastewater holding tanks, each with an approximate capacity of 9,000 gallons (Photographs 5 and 6).

Ms. Holland observed that the wastewater within the oil and water separator chambers was dark in color. Mr. Bryant stated that solids collected within the oil and water separator are pumped out and hauled offsite by a contractor one to two times per year.

The group then proceeded to inspect the two wastewater holding tanks, located at the southeastern corner of the outdoor concrete pad. After the pH of the wastewater within the tanks has been measured and adjusted as needed, the pretreatment operators discharge the contents of the tanks to the City's POTW. Mr. Bryant stated that the facility discharges wastewater to the same sewer line as the soap company, Chemtex, located to the west of the facility.

Ms. Holland observed that both the wastewater holding tanks were empty at the time of the inspection. Mr. Bryant explained that the pretreatment operators had discharged the wastewater generated at the facility for the day to the City's POTW prior to the inspection. Ms. Holland asked if the facility kept a record of discharges. Mr. Bryant provided a log of discharge events (refer to Section VI, Records Review). Ms. Holland asked how the facility would handle the wastewater if the pH was out of range and could not be properly adjusted. Mr. Bryant stated that the facility would hold the wastewater in the holding tanks and have it hauled offsite for disposal.

After observing the wastewater holding tanks, Ms. Holland observed that a valve at the bottom of a chemical tote was open, and the content of the tote was discharging into a trench drain. Mr. Bryant stated that he was unsure what the tote contained, and that the content of the tote would be collected in the oil and water separator and would be treated (i.e., receive pH adjustment) prior to discharge to the City's POTW (Photographs 7 through 9).

The group then proceeded to inspect the warehouse where raw and finished products were stored. At the time of the inspection Ms. Holland observed a trench drain that ran through the warehouse and had collected solids. Mr. Bryant explained that the facility removes the solids from the trench on an annual basis. Mr. Bryant stated that the trench drains within this area of the facility had been sealed and do not flow to the pretreatment system.

Ms. Holland observed a chemical blending operation within the warehouse. Mr. Bryant explained that employees wash totes that contain finished product prior to the blending operation. Ms. Holland observed that wastewater generated from the tote washing process collects in the floor trench drains and is allowed to evaporate (Photographs 10 through 12).

Mr. Bryant explained that the facility plans to construct a 60,000 square-foot warehouse during the summer of 2016. He also stated that the facility was in the process of installing additional reactors for a blending operation (Photograph 13). Ms. Holland observed the installation and assembly of the additional tank reactors at the time of the inspection. The installation occurred in a process area separate than the area housing the active reactors. At the time of the inspection, the facility had installed a stainless steel trench drain for wastewater collection from the new reactors, in addition to plastic bulk tanks for storing sulfuric acid.

Mr. Bryant expected that the blending operation would be complete and operational during the third quarter of 2016. Mr. Bryant stated that the wastewater treatment system has excess capacity to accommodate the facility's expansion. Mr. Bryant stated that the facility notified the City of the planned expansion and that the facility has been working closely with the City during this process.

Ms. Holland asked how the facility handled off-specification product and samples for quality assurance purposes. Mr. Bryant stated that in the event that an off-specification product arises, the facility blends the off-specification product into a similar product. Mr. Bryant also stated that the facility reintroduces the quality assurance/quality control and off-specification products into similar final products.

V. Follow-Up Interview

After the site inspection, on June 28, 2016, Ms. Holland had a follow-up phone conversation with Mr. Bryant. Ms. Holland asked a series of questions in order to clarify the facility's operations and wastewater generating practices.

Ms. Holland asked Mr. Bryant about the specific classes of chemicals manufactured at the facility. Mr. Bryant stated that the facility provides approximately 80% of the chemicals it manufactures to the carpet and textile industry. These products include textile auxiliary chemicals such as wetting agents, defoamers, and froth acids. Mr. Bryant stated that the main ingredients for the wetting agents include alcohol ethoxylate, and an oleyl amine and ethylene oxide mixture. He also stated that the frothing acids include ammonium lauryl sulfate and sodium lauryl sulfate. The facility also uses various types of acids and caustics. The facility blends water with the main ingredients to manufacture final products for sale.

Mr. Bryant also stated that the facility submitted a notice of intent (NOI) to the State of Georgia and filed under Standard Industrial Classification (SIC) Code 2841, Soap and Other Detergents, except Specialty Cleaners.

During the phone conversation, Ms. Holland asked Mr. Bryant if the facility had found its permit or if it had requested information regarding industrial user permit coverage from the City. Mr. Bryant stated that (after the site inspection) he spoke with the City representatives who stated that the facility is not subject to industrial user permit coverage because they do not meet the threshold for permit coverage by the City based on volume of discharge. Mr. Bryant was unsure how the City defines "threshold."

Ms. Holland also asked for additional information regarding the low pH discharge from the facility to the City POTW. Mr. Bryant stated that the incident occurred approximately five years prior to the inspection (i.e., in 2011), before the facility conducted batch wastewater pretreatment and discharge. Mr. Bryant explained that prior to the current pretreatment system the facility had an automatic chemical injection system for wastewater pretreatment. Specifically, a pH probe measured the pH of the wastewater, and the system added caustic or acid to adjust the pH of the wastewater. Mr. Bryant explained that the pH probe failed, causing a low pH discharge from the pretreatment system to the POTW.

Mr. Bryant stated that the facility experienced a series of issues with the probes of the automatic chemical injection system and, as a result, had to regularly replaced the pH probes. As a result of the incident, the issues with pH probes, and at the request of the City, the facility installed the two wastewater holding tanks for batch wastewater pretreatment. Mr. Bryant stated that the facility has not experienced issues with low pH discharges since the installation of the two wastewater holding tanks with manual pH testing.

Mr. Bryant stated that the pretreatment operators collect samples for pH analysis from the top of the batch treatment tanks and transport the sample to the onsite laboratory for analysis. Chemicals are added to the wastewater for pH adjustment as needed. The pretreatment operators then mix the wastewater in the batch treatment tanks for homogenization. Mr. Bryant stated the target pH of the wastewater generated at the facility is between 6 and 9 s.u. Mr. Bryant stated that the pH meter in the lab is calibrated on a daily basis and that the facility maintains a records of said calibration activities.

VI. Records Review

Ms. Holland requested and reviewed the facility's wastewater discharge log as a component of the inspection. Refer to Photograph 16 for a view of the information recorded in the facility's wastewater discharge log.

VII. Closing Conference

After the inspection of the process and pretreatment areas, the group returned to the office where the opening conference had occurred. Ms. Holland explained that more study might be required to ascertain if the facility was subject to the federal categorical pretreatment standards at the time of the inspection. Ms. Holland also mentioned that there were many chemicals stored at the facility without secondary containment or overhead coverage. Mr. Bryant stated that the chemicals would be stored inside the

facility's new warehouse after its construction during the summer of 2016. Ms. Holland and Ms. Wix exited the facility at 3:15 P.M.

VIII. Findings

- A. The facility manufactures liquid detergents, retailed principally textile and carpet industries. Federal regulations at 40 C.F.R. Part 417, Subpart P (Manufacture of Liquid Detergents Subcategory), apply to process discharges resulting from "all operations associated with the manufacture of liquid detergents, commencing with the blending of ingredients to, and including, bottling or packaging finished products."

The facility discharges process wastewater generated from its reactor washing and tote washing processes to a POTW. This discharge is regulated by categorical pretreatment standards for new sources at 40 C.F.R. § 417.166, which prohibits process wastewater discharges to a POTW if the process wastewater exceeds a COD/BOD-7 ratio of 10.0 and the COD exceeds 1.10 kilograms (kg) per 1000 kg of anhydrous product.

The facility has not been performing analyses and reporting to the Control Authority in accordance with the requirements of 40 C.F.R. § 403.12 for categorical industrial users, so compliance of the (undiluted, per 40 C.F.R. § 403.6(d)) process wastewater with this pretreatment standard can be routinely ascertained. The surfactants produced at the facility can present operational issues and potential pass through if discharged to the POTW.

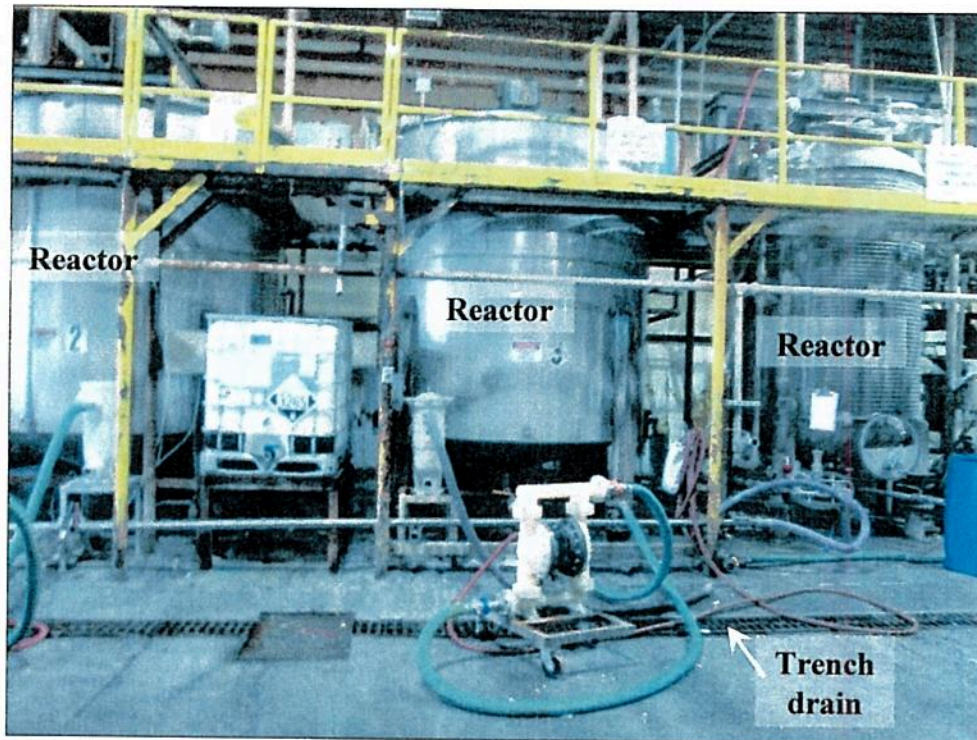
- B. The pretreatment standards and requirements identified in 40 C.F.R. Part 403 apply to all non-domestic discharges to the public sewer. At the time of the inspection, the facility was generating and discharging non-domestic wastewater to the City's POTW for approximately three years. As an industrial user subject to categorical pretreatment standards, the facility is considered by Part 403 to be a Significant Industrial User requiring an individual permit. The facility has not applied for, or been issued, a Significant Industrial User permit by the City of Calhoun, which is the pretreatment Control Authority.
- C. The facility's regulated process wastewater is diluted with indeterminate amounts of stormwater prior to pretreatment, which is not in accordance with 40 C.F.R. § 403.6(d).
- D. The facility was storing a large volume of chemicals at the facility without secondary containment and overhead protection from the elements. The facility was discharging an unknown substance from an unlabeled tote to a drain, which, according to the facility, led to the pretreatment system. There was evidence of chemical etching of the outdoor impervious surface between the administrative building and the storage warehouse, which the facility identified as spilled acid. There is likelihood that the spilled acid had collected within the facility's oil and water separator conveying wastewater to the City's POTW.
- E. Leaks or spills from the totes of chemicals at the facility have the potential to drain and comeingle with stormwater. The contamination would either be discharged offsite, or passed through the pretreatment system and discharged to the City's POTW.

F. The facility did not appear to know the exact amount of flow being discharged to the POTW.

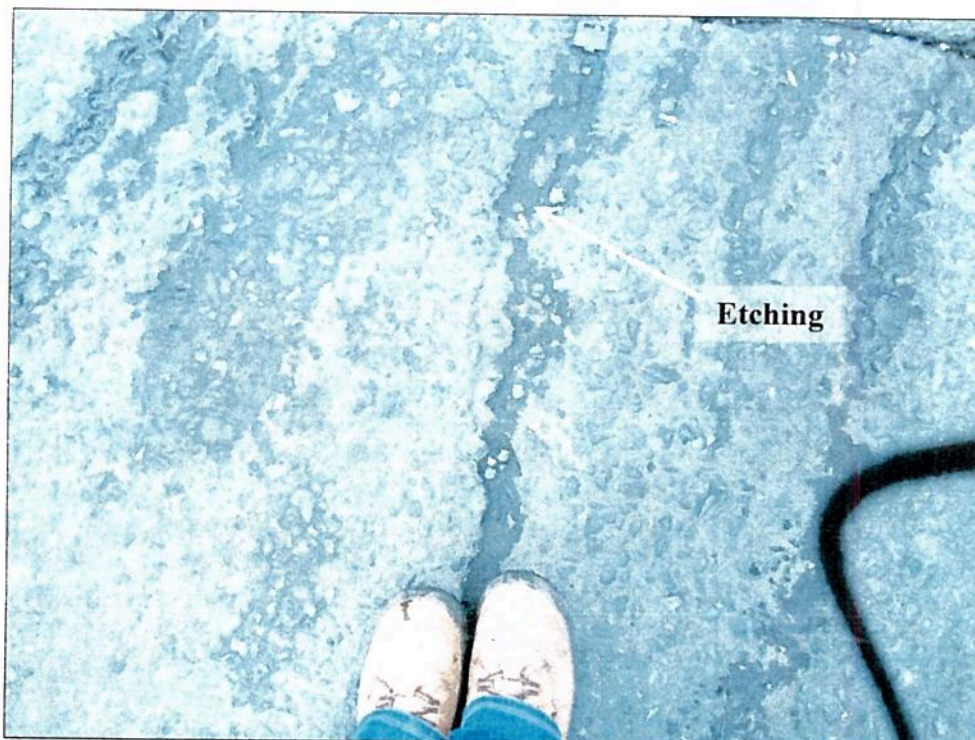
IX. Recommendations

- A. Due to the activities that are subject to regulation, it is strongly recommended that the facility take the appropriate steps to ensure that it has received an industrial user permit before continuing to discharge its wastewater to the City's POTW. The facility should work closely with the City to ensure its discharge permit contains all of the standards and requirements appropriate for the facility's operations, and that the process discharge being measured is not diluted by stormwater.
- B. The City may require further engineering of the facility's pretreatment system to segregate the collection of regulated process and industrial stormwater waste streams, so compliance samples of process wastewater can be routinely obtained without the influence of stormwater dilution.
- C. The facility should obtain and install a calibrated flow measurement device to identify the volume of wastewater generated and discharged from its wastewater operations prior to the introduction of any diluting streams.
- D. The facility should take appropriate measures to ensure that chemicals are properly stored and handled at the facility to minimize the potential for problem discharges to the City's POTW or offsite from the facility.
- E. Given the demonstrated risk of spills, the City should consider requiring the facility to submit and employ a Slug Discharge Control Plan as part of its permit, and the State of Georgia should consider requiring the facility employ a Stormwater Pollution Prevention Plan to address these concerns.
- F. The facility should include additional details on its batch discharge sheet (Photograph 16). Recording the time and duration of the discharge, any treatment needed prior to discharge, and the characteristics of the wastewater (e.g., color, odor, solids content, etc.) is advised. The facility should also maintain records related to its calibration and collection of pH measurements (e.g., the time between sample collection and pH measurement, and the pH calibration standards tested prior to measurement).
- G. To ensure consistency and to account for any changes in staffing, the facility may need to establish a written protocol and training for operating and maintaining the pretreatment system. For chemical neutralization to be complete, it is important that neutralization systems provide sufficient residence time, and that full mixing is achieved before the final pH is monitored.

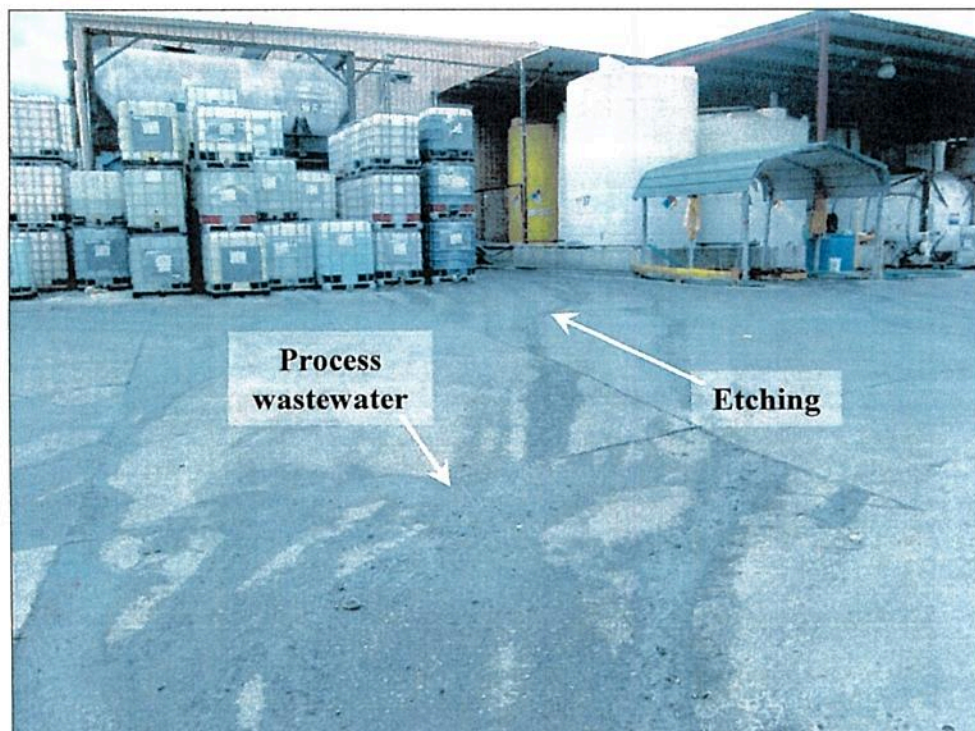
IX. Photograph Log



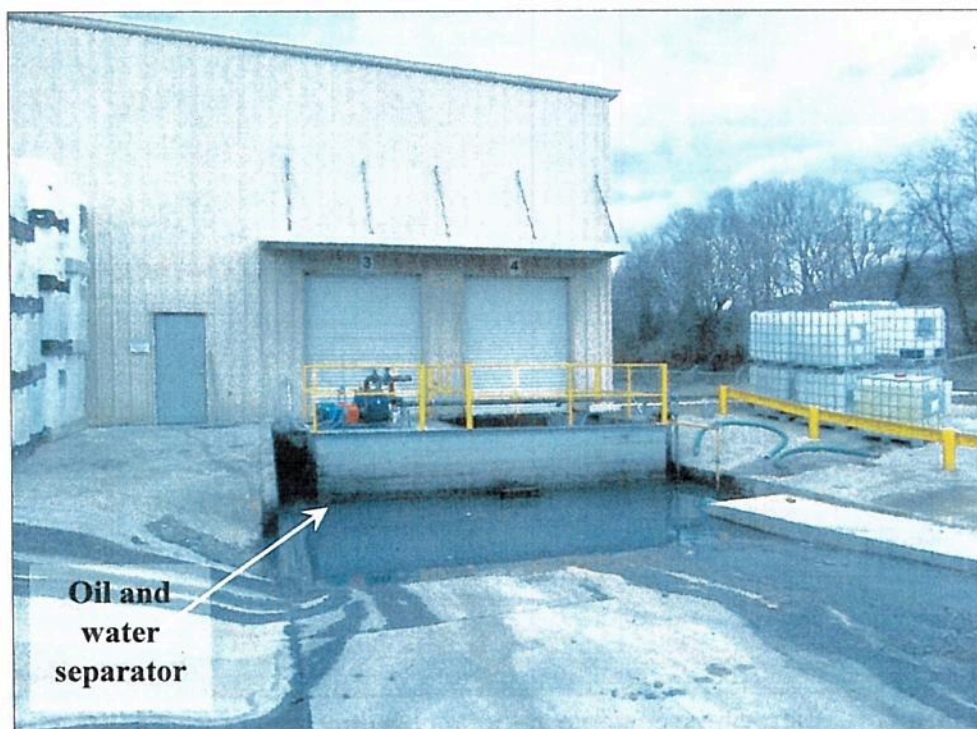
Photograph 1. View of three of the chemical reactors in the process area behind the administrative area of the facility. Note the trench drain in front of the reactors.



Photograph 2. View of the concrete at the southcentral area of the facility, between the administrative building and storage warehouse. Note the etching of the impervious surface.



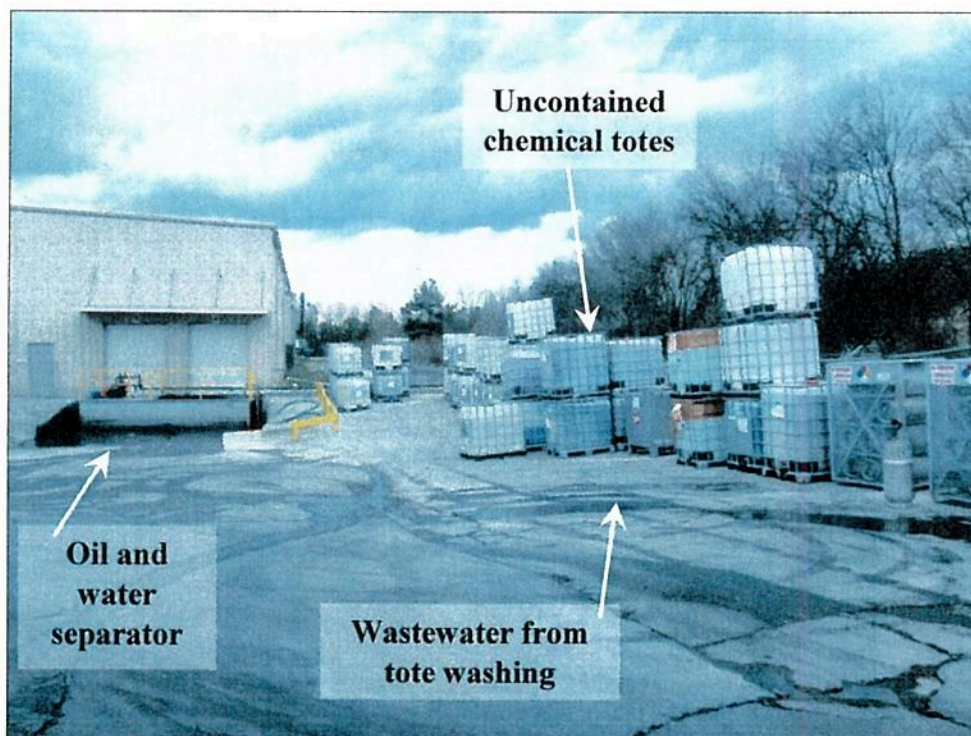
Photograph 3. View, facing south from the south-central area of the facility, of the uncontained chemicals stored at the facility. The liquid on the impervious surface appeared to be wastewater flowing from the indoor area of the facility to the oil and water separator. Note the etching.



Photograph 4. View of the oil and water separator at the loading dock of the storage warehouse, used for initial wastewater collection and settling.



Photograph 5. Up-close view of the facility's oil and water separator depicted in Photograph 4.



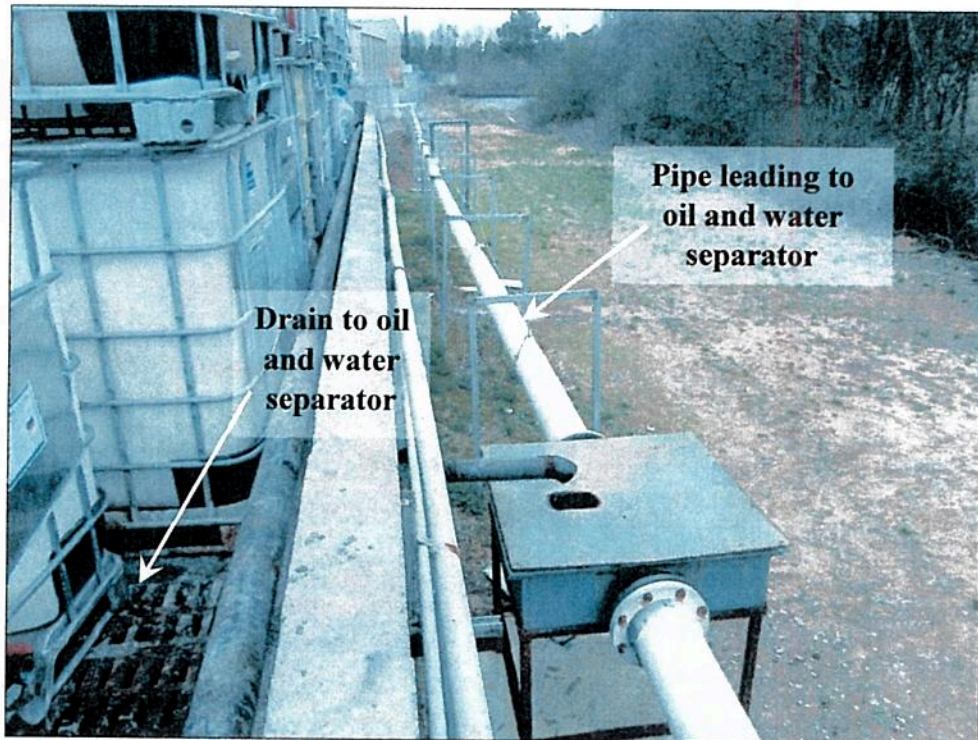
Photograph 6. View of the chemical totes stored in the direct vicinity of the facility's oil and water separator.



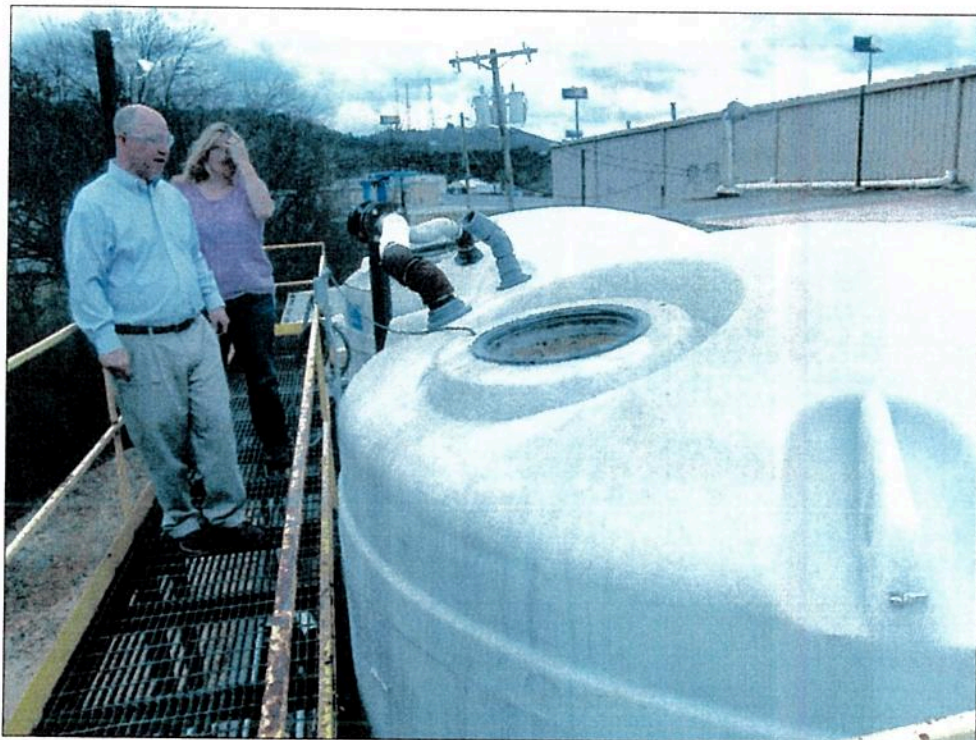
Photograph 7. View of the open valve of the unlabeled tote, with an unknown substance leaking into a drain that leads to the oil and water separator.



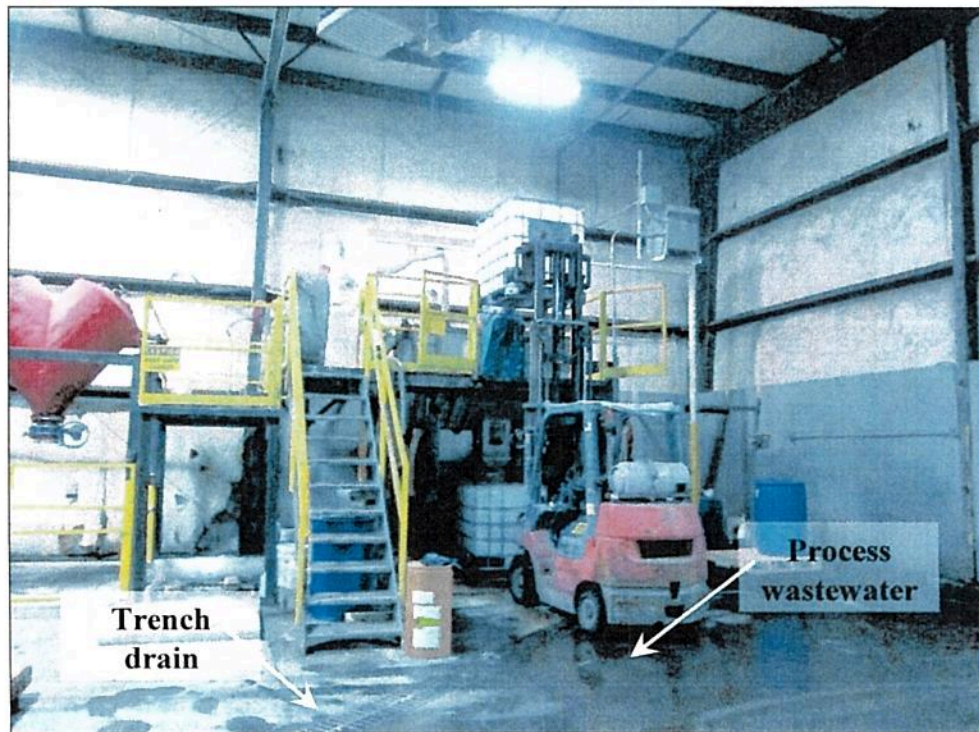
Photograph 8. Up-close view of the unknown substance leaking from the open valve of the tote into the drain, as depicted in Photograph 7.



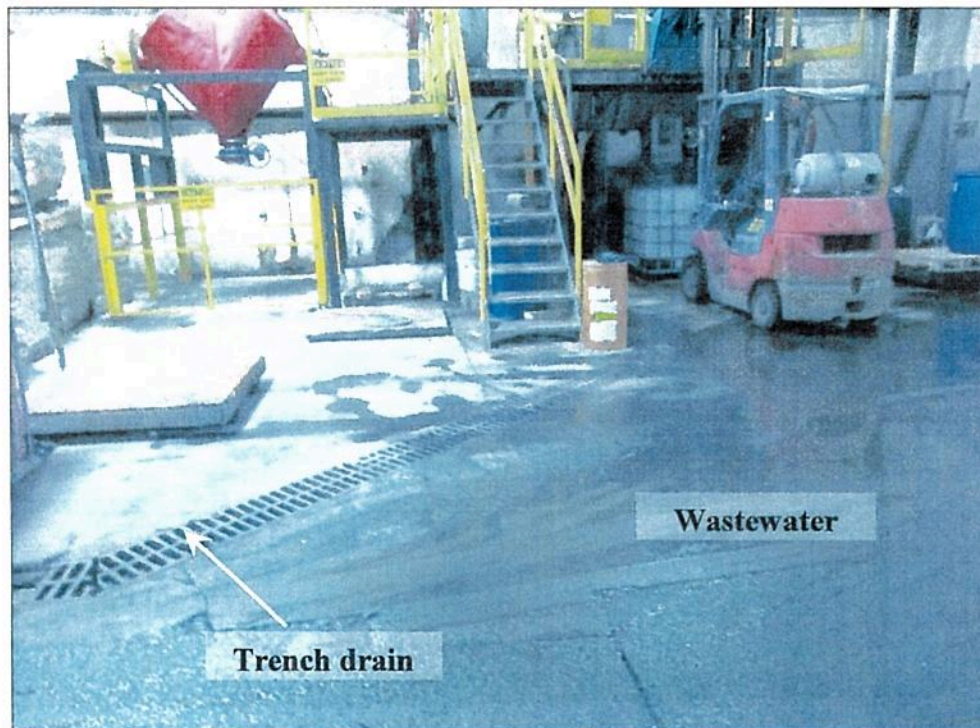
Photograph 9. View of the piping showing the drain to the oil and water separator depicted in Photograph 8.



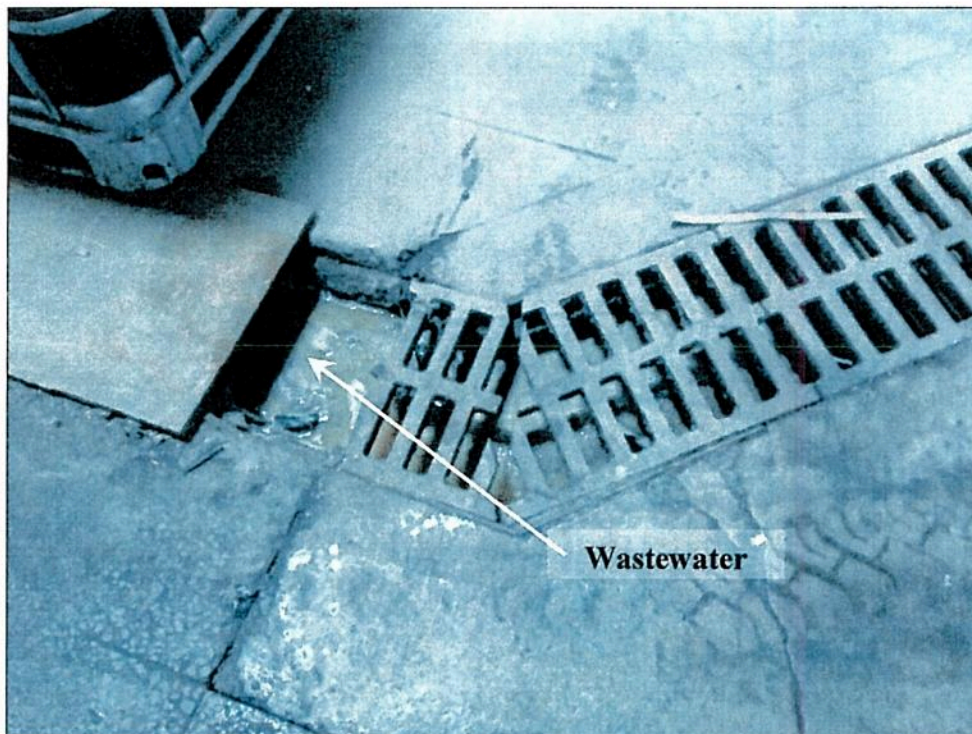
Photograph 10. View of the two wastewater holding tanks stored at the southeastern area of the facility.



Photograph 11. View of the blending operation in the warehouse. Note the wastewater on the impervious surface generated from the process.



Photograph 12. View of the wastewater generated from the blending operation. The wastewater collected within the trench drains, which had been sealed.



Photograph 13. Up-close view of the wastewater from the blending process, depicted in Photographs 11 and 12, collected in the trench drain.



Photograph 14. View of the new reactors being installed at the facility.



Photograph 15. View of the newly installed steel floor trench drains and plastic tanks for storing sulfuric acid.

ENCLOSURE B

INFORMATION REQUEST PURSUANT TO SECTION 308 OF THE CLEAN WATER ACT

Instructions

1. Identify the person(s) responding to this Information Request.
2. Please provide a separate narrative response to each and every Question and subpart of a Question set forth in this Information Request.
3. Precede each answer with the text and the number of the Question and its subpart to which the answer corresponds.
4. All documents submitted must contain a notation indicating the Question and subpart of the Question to which they are responsive.
5. In answering each Information Request Question and subpart thereto, identify all documents and persons consulted, examined or referred to in the preparation of each response, and provide true and accurate copies of all such documents.
6. If information not known or not available to you as of the date of submission of a response to this Information Request should later become known or available to you, you must supplement your response to the EPA. Should you find at any time after the submission of your response that any portion of the submitted information is false or misrepresents the truth, you must notify the EPA as soon as possible.
7. For each document produced in response to this Information Request, indicate on the document, or in some other reasonable manner, the number of the Question to which it responds.
8. Where specific information has not been memorialized in a document, but is nonetheless responsive to a Question, you must respond to the Question with a written response.
9. If information responsive to this Information Request is not in your possession, custody or control, then identify the person from whom such information may be obtained.
10. If you have reason to believe that there may be persons able to provide a more detailed or complete response to any Question or who may be able to provide additional responsive documents, identify such persons and the additional information or documents that they may have.
11. The EPA requests that all documents provided in an electronic format be compatible with pdf.
12. The EPA requests that all spreadsheet information be in an electronic format and compatible with MS Excel.
13. If any Question relates to activities undertaken by entities other than the recipient of this Information Request, and to the extent that you have information pertaining to such activities, provide such information for each entity.

Definitions

1. All terms not defined herein shall have their ordinary meanings, unless such terms are defined in the Clean Water Act or its implementing regulations, in which case the statutory or regulatory definitions shall control.
2. Words in the masculine may be construed in the feminine if appropriate, and vice versa, and words in the singular may be construed in the plural if appropriate, and vice versa, in the context of a particular question or questions.
3. The terms “And” and “Or” shall be construed either disjunctively or conjunctively as necessary to bring within the scope of this Information Request any information which might otherwise be construed outside its scope.
4. The term “Identify” means, with respect to a natural person, to set forth the person’s name, present or last known business address and business telephone number, present or last known home address and home telephone number, and present or last known job title, position or business.
5. The term “Identify” means, with respect to a document, to provide its customary business description; its date; its number, if any (invoice or purchase order number); the identity of the author, addressee and/or recipient; and substance of the subject matter.
6. The term “Identify” means, with respect to a corporation, partnership, business trust or other association or business entity (including a sole proprietorship), to set forth its full name, address, legal form (e.g., corporation, partnership, etc.), organization, if any, and a brief description of its business.
7. The term “Facility” means Phoenix Chemical Company Inc.’s facility located at 202 Gee Road in Calhoun, Gordon County, Georgia.
8. The term “You” and “Your” shall mean Phoenix Chemical Company, Inc.
9. The term “Permit” shall mean an industrial user permit issued to the Facility by the Control Authority or a storm water permit issued by the State of Georgia.
10. “Control Authority” shall have the meaning set forth in 40 C.F.R. § 403.3(f).

Questions

1. Identify your company by:
 - A. Legal name, including any “doing business as” name;
 - B. Date and state of incorporation, if any;
 - C. Complete mailing and physical address of the central office; and
 - D. Name and mailing address of your registered agent.
2. Identify the person(s) authorized to discuss this Facility with the EPA by:
 - A. Full name and title;
 - B. Mailing address and physical address; and
 - C. Daytime telephone number.
3. Identify any current or former parent corporations and all current and former subsidiaries of Phoenix Chemical Co., Inc.
4. Describe any current or former relationship between Phoenix Chemical Co., Inc. and Houghton International.
5. State the dates during which Phoenix Chemical Co., Inc. or John Bryant in his individual capacity owned, operated, or leased any portion of the Facility and provide copies of all documents evidencing or relating to such ownership, operation, or lease, including but not limited to purchase and sale agreements, deeds, leases, etc.
6. Provide a timeline identifying the Facility’s construction and narrative describing its production assets, their purpose and acquisition dates. Include the dates when the initial construction of the Facility began and when the initial discharge of process wastewater to the public sewer began.
7. Identify all federal, state, and local authorities that regulate or have regulated Phoenix Chemical Co., Inc. and/or that interact with Phoenix Chemical Co., Inc. Your response is to address all interactions and in particular all contacts from agencies/departments that dealt with health and safety issues and environmental concerns.
8. If the Facility has applied for and/or received a Permit for process wastewater discharges, then provide a timeline of the wastewater permitting history for the Facility from the beginning of its operation to the present, including:
 - a. the date(s) that Permit applications were either requested by the Control Authority (the City of Calhoun) or submitted by the Facility;
 - b. the date(s) that draft or final Permit(s) were received by the Facility; and

c. the date(s) that comments on such draft(s) were submitted to the Control Authority.

If the Facility has never received a Permit for the discharge of process wastewaters to a publicly owned treatment works, then please explain this in the response.

9. Provide complete copies of all communication to or from the Control Authority (the City of Calhoun) from the beginning of operation of the Facility to the present which concerns the Facility's process wastewater discharge(s). This information should be organized in chronological order with a table of contents. Communication that only regards water/sewer service billing or payment can be excluded.
10. Provide current schematics of the Facility property identifying the physical boundaries, the individual operational areas, and the process wastewater sources within each production area.
11. Include a separate schematic identifying the pathway(s) of process wastewaters, the pathway(s) of non-process wastewaters, any in-line valves/storage/appurtenances, and any points of combining flows, beginning from the source(s) of the flow to the termination points at public sewers or other locations. Include a flow balance on this schematic identifying the current average daily flow rates of process wastewater and non-process wastewater during production. Identify the rate at each originating source, prior to each point of combining flows, and at each point of flow termination or storage. Identify the originating processes for the flows, the means of disposal at the termination points, the capacity and utilization of any storage, the flow rates in gallons per day, and whether each flow rate is measured or estimated.
12. Provide a detailed discussion of the Facility's products and production processes, referencing the process source schematic provided for the production areas in item #11 above. Include the raw materials used, their preparation and their combination including, but not limited to, any physical/chemical preparation of the materials used, and if that is performed on-site.
13. Provide all wastewater monitoring data collected by, or under contract to, the Facility from the beginning of its operation to the present. The EPA prefers that such data be provided as a summary in an electronic spreadsheet format compatible with MS Excel. Present the data for laboratory-tested samples separately from data for flow, pH, temperature and other field- or continuously-monitored parameters. Include the following for each data point:
 - a. Parameter monitored;
 - b. Date monitored (month/day/year);
 - c. Analytical result;
 - d. Units;
 - e. Analytical method;
 - f. Sample type (grab, time-proportional composite, or flow-proportional composite)
 - g. Flow recorded at the time of monitoring;

- h. Sampling location; and
- i. Flow monitoring location.

Analytical methods need only be provided for laboratory analyses; for flow, pH, temperature and other field- or continuously-monitored parameters, identify the testing equipment used and their calibration frequencies. For flow monitoring data, only (a), (b), (c), (d), and (i) need to be provided. Location descriptions for (h) and (i) should be identifiable on the schematics provided in item #11 above.

14. For each month from the beginning of the Facility's operation to the present, identify in a spreadsheet:
 - a. The days of production;
 - b. The monthly production (kg) of anhydrous product; and
 - c. The monthly process wastewater discharge flow to the sewer, indicating measurements and estimations.
15. Provide dated color photos of the Facility's typical production discharge to the sewer (if accessible), and of any wastewater treatment systems used prior to discharge. Identify the subject matter and location with each photo and reference the locations as they are identified on the schematics provided in item #11 above.
16. Provide a copy of any inspection reports, notices of violations, administrative orders, cease and desist orders, and any related correspondence from local, State or federal agencies related to the process wastewater discharge from the Facility from the beginning of operation of the Facility to the present.
17. Provide copies of all reporting sent in accordance with the regulations at 40 C.F.R. § 403.12 and/or under the Permit beginning at least 90 days before discharge from the Facility to the public sewer until the date of this Information Request, including, but not limited to:
 - a. Baseline report, as required by 40 C.F.R. § 403.12(b);
 - b. Report on initial compliance with categorical pretreatment standards, as required by 40 C.F.R. § 403.12(d); and
 - c. Periodic report(s) on continuing compliance with categorical pretreatment standards, as required by 40 C.F.R. § 403.12(e).
18. If the Facility has applied for and/or received a Permit for storm water discharges from the State of Georgia, then provide a copy of the storm water permit. If the Facility has never received a storm water permit for the discharge of storm water, then please explain this in the response.
19. If the Facility has a Storm Water Management Plan (SWMP) or Storm Water Pollution Prevention Plan (SWPPP), then provide a copy of the effective SWMP or SWPPP.

20. Provide all storm water monitoring data collected by, or under contract to, the Facility from the beginning of its operation to the present. The EPA prefers that such data be provided as a summary in an electronic spreadsheet format compatible with MS Excel. Present the data for laboratory-tested samples separately from data for flow, pH, temperature and other field- or continuously-monitored parameters. Include the following for each data point:
- a. Parameter monitored;
 - b. Date monitored (month/day/year);
 - c. Analytical result;
 - d. Units;
 - e. Analytical method;
 - f. Sample type (grab, time-proportional composite, or flow-proportional composite)
 - g. Flow recorded at the time of monitoring;
 - h. Sampling location; and
 - i. Flow monitoring location.

Analytical methods need only be provided for laboratory analyses; for flow, pH, temperature and other field- or continuously-monitored parameters, identify the testing equipment used and their calibration frequencies. For flow monitoring data, only (a), (b), (c), (d), and (i) need to be provided. Location descriptions for (h) and (i) should be identifiable on the schematics provided in item #11 above.

ENCLOSURE C

RIGHT TO ASSERT BUSINESS CONFIDENTIALITY CLAIMS

(40 C.F.R. Part 2)

Except for effluent data, you may, if you desire, assert a business confidentiality claim as to any or all of the information that the EPA is requesting from you. The EPA regulation relating to business confidentiality claims is found at 40 C.F.R. Part 2.

If you assert such a claim for the requested information, the EPA will only disclose the information to the extent and under the procedures set out in the cited regulations. If no business confidentiality claim accompanies the information, the EPA may make the information available to the public without any further notice to you.

40 C.F.R. § 2.203(b). **Method and time of asserting business confidentiality claim.** A business which is submitting information to the EPA may assert a business confidentiality claim covering the information by placing on (or attaching to) the information, at the time it is submitted to the EPA, a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as "trade secret," "proprietary," or "company confidential." Allegedly confidential portions of otherwise non-confidential documents should be clearly identified by the business, and may be submitted separately to facilitate identification and handling by the EPA. If the business desires confidential treatment only until a certain date or until the occurrence of a certain event, the notice should so state.

